

**Practitioner's Docket No. 2229/134****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Langenfeld et al.  
Serial No.: TBA  
Date Filed: Herewith  
Invention: Metering Fuel Pump

Atty. Docket: 2229/134  
Art Unit: TBA  
Examiner: TBA

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT****CERTIFICATE UNDER 37 C.F.R. § 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that this correspondence is, on the date shown below, being:

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**37 C.F.R. § 1.10\***

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☐ transmitted by facsimile to the Patent and Trademark Office.

Date: **August 18, 2003**

Signature

  
**John L. Conway**

(type or print name of person certifying)

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

**WARNING:** "No information disclosure statement maybe filed in a provisional application." 37 C.F.R. § 1.51(d).

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:  
(check sections forming a part of this statement: discard *unused* sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

**NOTE:** "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

**Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

(Information Disclosure Statement—Section 1. Preliminary Statements [6-1]--)

**SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Langenfeld et al.  
Serial No.: TBA  
Date Filed: Herewith  
Invention: Metering Fuel Pump

Atty. Docket: 2229/134  
Art Unit: TBA  
Examiner: TBA

**LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS'  
INFORMATION DISCLOSURE STATEMENT**  
**United States Patents**

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor
	AA	3,775,973	Dec. 4, 1973	Hudson, P.
	AB	4,067,191	Jan. 10, 1978	Grönvall, et al.
	AC	4,085,588	Apr. 25, 1978	Reams, et al.
	AD	4,231,222	Nov. 4, 1980	Fenton, J.
	AE	4,633,667	Jan. 6, 1987	Watanabe, et al.
	AF	4,768,341	Sep. 6, 1988	Nozaki, et al.
	AG	4,881,372	Nov. 21, 1989	Naito, Y.
	AH	4,977,742	Dec. 18, 1990	Meijer, R.
	AI	5,005,349	Apr. 9, 1991	Monose, et al.
	AJ	5,065,579	Nov. 19, 1991	Monahan, R.
	AK	5,590,626	Jan. 7, 1997.	Hitomi, et al.
	AL	5,735,681	Apr. 7, 1998.	Chen, R.
	AM	5,921,764	Jul. 13, 1999.	Marchionna, et al
	AN	5,954,039	Sep. 21, 1999	Doering, et al.
	AO	4,330,260	May 18, 1982	Jorgensen et al.
	AP	4,364,724	Dec. 21, 1982	Aolpkvist
	AW	6,247,310	Jun. 19, 2001.	Norris et al.
	BE	3,860,384	Jan. 1975	Vulliet et al
	BF	4,008,039	Feb. 1977	Compton et al
	BG	6,062,023	May 2000	Kerwin et al.
	AA-1	4,901,790	2/20/90	Meijer
	AB-1	6,161,381	12/19/00	Lohrmann
	AC-1	6,381,958	05/02	Kamen et al.
	AD-1	4,662,176	05/87	Fujiwara et al.
	AE-1	4,573,320	03/86	Kralick, J.
	AF-1	5,755,100	05/98	Lamos, R.

### Foreign Patent Documents

Examiner Initials	Reference Number	Document Number	Issue Date	C untry
	AQ	JP 02 256856	17-10-90	Japan
	AR	FR 2 609,154	1-7-88	France
	AS	JP 09 015197	17-01-97	Japan
	AT	JP 61 128024	16-06-86	Japan
	AO-1	JP 03009058	16-1-91	Japan
	AY	DE 198 20 192 A1	26 11 1998	Germany
	AZ	JP 04 347410	22 Apr. 1993	Japan
	BC	JP 61 128014	30 Oct. 1986	Japan
	BD	JP 02 021123	24 Jan. 1990	Japan
	AG-1	675,161	8/7/45	United Kingdom
	AG-2	704,002	2/10/50	United Kingdom
	AG-3	892,962	12/5/57	United Kingdom

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

NOTE FOR EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance AND not considered. Include copy of this form with next communication to applicant.

#### **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited**

**NOTE:** "A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120." 37 C.F.R. § 1.98(d).

**WARNING:** "This exception to the requirement for copies of information does not apply to information which was cited in an international application under the Patent Cooperation Treaty." Notice of April 20, 1992 (1138 O.G. 37-41, 38)

**WARNING:** "Information which is cited or submitted to the Office in the parent application of a file wrapper continuing application under 37 C.F.R. 1.62 will be part of the file before the examiner and need not be resubmitted in the continuing application. Likewise, the examiner will consider information cited or submitted to the Office in a parent application when examining a continuing application and thus this information need not be resubmitted unless applicant desires the information to be printed on the patent." Notice of April 20, 1992 (1138 O.G. 37-41, 37)

**WARNING:** While a copy of a non-English language item of information need not be submitted, if it was previously submitted to, or cited by, the Office in a prior application, provided it is properly identified in this statement and this application relies on that earlier filing date under 35 U.S.C. 120, nevertheless, the requirement in § 1.98(a)(3) for a concise explanation of non-English language information would not be satisfied by a statement that a reference was cited in the prosecution of a parent application. The concise explanation must explain the relevance, as presently understood by the person designated in § 1.56(c) most knowledgeable about the content of the information. Notice of January 9, 1992, 1135 O.G. 13-25, at 20.

- This application relies, under 35 U.S.C. § 120, on the earlier filing date of U.S. Patent Application ser. no. 09/853,239, filed 5/11/01, atty. docket 2229/119, which is a continuation-in-part of U.S. Patent Application ser. no. 09/517,686, atty. docket 2229/112, filed 3/2/2000. The present application also relies, under 35 U.S.C. § 120, on the earlier filing date of U.S. Patent Application ser. no. 10/361,354, atty. docket 2229/144, which is a divisional application of U.S. patent application, no. 09/883,077, filed 3/15/2001, atty. docket no. 2229/118.

All of references in sec. 2 were submitted to, and /or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

(Information Disclosure Statement-Section 4. Identification of Prior Application in Which Listed Information Was Already Submitted and for Which No Copies Are Submitted or Need Be Submitted Statement [6-1]-)

**Section 6. Copies of Listed Information Items Accompanying This Statement**

*NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:*

*"A legible copy of.:*

- (i) Each U.S. patent application publication and U.S. and foreign patent;*
- (ii) Each publication or that portion which caused it to be listed,*
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

Exception(s) to above:

- ☒ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this statement is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

*(check each applicable item)*

- ☐ supplied by the inventor(s).  
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))  
☒ in the practitioner's file.

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\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

John L. Conway  
(type or print name of person certifying)  
Bromberg & Sunstein LLP  
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Boston, MA 02110-1618

(Information Disclosure Statement-Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]-

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